



DEPARTMENT OF THE NAVY
BOARD FOR CORRECTION OF NAVAL RECORDS
2 NAVY ANNEX
WASHINGTON DC 20370-5100

JRE
Docket No: 2869-00
13 June 2000

[REDACTED]

Dear [REDACTED]

This is in reference to your application for correction of your naval record pursuant to the provisions of title 10 of the United States Code, section 1552.

A three-member panel of the Board for Correction of Naval Records, sitting in executive session, considered your application on 25 May 2000. Your allegations of error and injustice were reviewed in accordance with administrative regulations and procedures applicable to the proceedings of this Board. Documentary material considered by the Board consisted of your application, together with all material submitted in support thereof, your naval record and applicable statutes, regulations and policies.

After careful and conscientious consideration of the entire record, the Board found that the evidence submitted was insufficient to establish the existence of probable material error or injustice.

The Board found that you enlisted in the Marine Corps on 18 June 1962. You received nonjudicial punishment on four occasions, were convicted by summary and special courts-martial, and incurred substantial lost time. You underwent a pre-separation physical examination on 17 October 1966, and were found physically qualified for release from active duty. You did not disclose any conditions at that time which you felt rendered you unfit for duty. You were released from active duty on 21 October 1966. Your service was characterized as under honorable conditions because you did not have a conduct mark average of 4.0 or higher, which is the minimum required for an honorable characterization of service.

The Board noted that you received treatment for ear conditions from time to time during your enlistment, but there is no indication that those conditions caused you to commit any of the numerous acts of misconduct recorded in your record, or extenuated or mitigated your misconduct. It was not persuaded that you were unfit for duty at the time of your release from active duty, or that the characterization of your discharge was unjust. Accordingly,

your application has been denied. The names and votes of the members of the panel will be furnished upon request.

It is regretted that the circumstances of your case are such that favorable action cannot be taken. You are entitled to have the Board reconsider its decision upon submission of new and material evidence or other matter not previously considered by the Board. In this regard, it is important to keep in mind that a presumption of regularity attaches to all official records. Consequently, when applying for a correction of an official naval record, the burden is on the applicant to demonstrate the existence of probable material error or injustice.

Sincerely,

W. DEAN PFEIFFER
Executive Director